

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Continuation Application of. U.S.
Application 09/217,991 of:

Bertrand PIOT et al.

Filed: May 30, 2001

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) Previous Group Art Unit: 161
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) Previous Examiner: G. Yu
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For: MASCARA COMPRISING A MIXTURE OF HARD WAXES AND OF FILM-FORMING POLYMER

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents listed on the attachegood PTO 1449. This Information Disclosure Statement is being filed concurrently with this continuation application.

Copies of the listed documents were previously submitted in a prior parent application no. 09/217,991, filing date December 22, 1998, upon which Applicants rely for the benefits provided in 35 U.S.C. § 120. Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

With respect to the non-English language documents, Applicants submit the following remarks:

1. **EP 0 530 084** - An abstract of the disclosure of this document can be found in the English language Derwent Abstract, a copy of which Applicants submitted in the parent application no. 09/217,991.
2. **EP 0 557 196** - An abstract of the disclosure of this document can be found in the English language Derwent Abstract, a copy of which Applicants submitted in the parent application no. 09/217,991. See also pages 1 and 21 of the specification.
3. **EP 0 611 170** - An abstract of the disclosure of this document can be found in the English language Derwent Abstract, a copy of which Applicants submitted in the parent application no. 09/217,991. See also page 17 of the specification.
4. **EP 0 639 371** - An abstract of the disclosure of this document can be found in the English language Derwent Abstract, a copy of which Applicants submitted in the parent application no. 09/217,991. See also page 1 of the specification.
5. **EP 0 655 234** - This document is believed to be a foreign language counterpart of U.S. Patent No. 5,620,693, a copy of which Applicants submitted in the parent application no. 09/217,991.
6. **EP 0 662 312** - An abstract of the disclosure of this document can be found in the English language Derwent Abstract, a copy of which Applicants submitted in the parent application no. 09/217,991.
7. **EP 0 663 202** - This document is believed to be a foreign language counterpart of U.S. Patent No. 5,747,013, a copy of which Applicants submitted in the parent application no. 09/217,991.

8. **FR 2 528 699** - An abstract of the disclosure of this document can be found in the English language Derwent Abstract, a copy of which Applicants submitted in the parent application no. 09/217,991.

9. **FR 2 573 305** - An abstract of the disclosure of this document can be found in the English language Derwent Abstract, a copy of which Applicants submitted in the parent application no. 09/217,991.

10. **JP-A-08 268841** - Applicants submitted an English language abstract of this non-English document in the parent application no. 09/217,991

A copy of the French Search Report was also submitted in the parent application no. 09/217,991 for the Examiner's consideration.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and Applicants determine that the cited documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

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If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

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Dated: May 30, 2001

By: 
Sean A. Passino
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